

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35582

STATE OF IDAHO,)	2009 Unpublished Opinion No. 592
)	
Plaintiff-Respondent,)	Filed: August 28, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
TERENCE LEE KENYON,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Minidoka County. Hon. R. Barry Wood, District Judge.

Judgment of conviction and concurrent unified sentences of forty years, with fifteen years determinate, and forty years with sixteen years determinate, for two counts of lewd conduct with a minor under the age of sixteen, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and GRATTON, Judge

PER CURIAM

Terence Lee Kenyon was convicted of two counts of lewd conduct with a minor under the age of sixteen, Idaho Code § 18-1508. The district court imposed concurrent unified sentences of forty years, with fifteen years determinate, and forty years with sixteen years determinate. Kenyon appeals, contending that the sentences are excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Kenyon's judgment of conviction and sentences are affirmed.